HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No.12841 of 2007

Date: 09.08.2007

Between:
P.Venkateswarlu

.....Petitioner

And

The Southern Power Distribution Company of A.P. Limited and others.

.....Respondents.

ORDER:

The petitioners are the owners of land in survey Nos.107, 108, 131 and 132 of Sanampudi Village, Singarayakonda Mandal, Prakasam District. They raised mango, guava and sapota garden in the land apart from planting coconut trees in it. This writ petition is filed complaining that respondents 1 to 4 are laying a high-tension line across the garden of the petitioners and the same is resulting in cutting of three rows of fruit-bearing trees and they seek necessary directions to prevent such a course.

On behalf of respondents 1 to 4, a counter-affidavit is filed. It is stated that already an L.T. line is passing through the land of the petitioners to serve the needs of a consumer with service connection No.737 and that on the request of that consumer, the line is upgraded. It is stated that the said consumer made a request for providing uninterrupted supply of power, which necessitated extension of H.T. line and acceding to his request, the existing L.T. line is being upgraded to H.T-I. The respondents also contend that the support is being taken only from the existing poles. Except that, one pole is being erected in such a way not to cause any damage to the petitioners.

Heard the learned counsel for the petitioners and the learned standing counsel for respondents 1 to 4.

Respondents 1 to 4 are conferred with adequate power to

lay lines to serve various consumers. However, in the process, the least possible damage must be caused to the owners of the property. In the instant case, it is not as if the proposed line is being laid for the first time. Already there exists an L.T. line passing across the land of the petitioners. It is being converted into H.T. line, that too, by raising the height with extension piece. It is categorically stated that the up-gradation of the line would not result in cutting of the trees.

For the foregoing reasons, the writ petition is disposed of, directing that while upgrading the line of the existing L.T. line to H.T. line to serve the needs of the consumers, the respondents shall ensure that no damage is caused to the trees planted by the petitioners in their land. There shall be no order as to costs.

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09.08.2007

kdl